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Amdt. Trans.
PATENT

Our File No.: A31967 PCT USA-A

Date: April 17, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Raymond Kaempfer et al.

Serial No. : 09/150,947

Examiner: Lee, L.

Filed : September 18, 1997

Group Art Unit: 1647

For : BROAD SPECTRUM PYROGENIC EXOTOXINS ANTAGONISTS
AND VACCINES

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

1. ☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
2. ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
3. ☒ No additional fee is required.

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 17, 2000.

Attorney Name Alicia A. Russo

Registration No. 46,192

Signature *Alicia A. Russo*

Date of Signature April 17, 2000

The fee has been calculated as shown below:

	Claims remaining after amendt. (Col. 1)	Highest No. Prev. Paid for (Col. 2)		Present extra (Col. 3)	<u>SMALL ENTITY</u>		or	<u>OTHER THAN A SMALL ENTITY</u>	
					<u>RATE</u>	<u>FEE</u>		<u>RATE</u>	<u>FEE</u>
Total	*	Minus **	=	0	x	9 =	\$0	or	x 18 = \$0
Ind.	*	Minus ***	=	0	x	39 =	\$0	or	x 78 = \$0
() First Presentation of Multiple Dependent Claim					+	130 =		or	+ 260 =
TOTAL ADDITIONAL FEE					=	\$0	or	TOTAL	= \$0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. prev. paid for" in this space is less than 20, write "20" in this space.

*** If the "Highest No. prev. paid for" in this space is less than 3, write "3" in this space.

4.(a)[] An Extension of Time to respond to the PTO communication dated is hereby requested. The required fee, indicated below, is enclosed herewith.

Extension for response (check only one):

	<u>SMALL ENTITY</u>	<u>OTHER THAN A SMALL ENTITY</u>
Within first month	[] \$ 55	[] \$ 110
Within second month	[] 190	[] 380
Within third month	[] 435	[] 870
Within fourth month	[] 680	[] 1,360

(check and complete the next item, if applicable)

[] An extension for months has already been secured and the fee paid therefor of \$ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$.

or

(b)[X] In the event that an extension of time is required, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

5. [] Please charge our Deposit Account No. 02-4377 in the amount of \$. Two copies of this sheet are enclosed.


6. [] A check in the amount of \$ is attached.

7. [X]

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and/or 37 CFR 1.17 associated with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

BAKER BOTTS L.L.P.

By


Alicia A. Russo

PTO Registration No. 46,192

Enclosures